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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

ANGELA SMITH,
*in her own right, and as representative of
her husband's estate and on behalf of her
minor child*
D'ANGELA NOEL SMITH

CIVIL ACTION NO. 07-0681

JUDGE MELANÇON

MAGISTRATE JUDGE METHVIN

OLIVIA HUERTA
on behalf of her minor child
DARCELL CROCKETT
Plaintiffs

VS.

LOUISIANA WORKERS COMPENSATION
CORP.

Intervenor Plaintiff

VS.

AMERICAN FAMILY LIFE ASSURANCE
CO. of COLUMBUS

Defendants

VS.

ROTORCRAFT LEASING CO., LLC
ANGELA SMITH
X L SPECIALTY INS. CO.

Intervenor Defendants

AMENDED JURISDICTIONAL AMOUNT REVIEW RULING

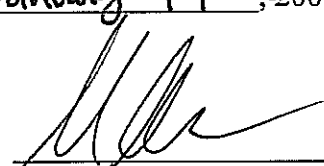
This diversity case was removed from a local state court pursuant to 28 U.S.C. § 1332. As required by a standing order of this court, on November 26, 2007 the undersigned reviewed the record and concluded that the jurisdictional amount has been established.

The Court noted that plaintiffs brought a wrongful death action seeking damages for the death of Darrel Smith, Sr. in a helicopter accident on March 14, 2006 caused by the negligence and fault of defendant Rotorcraft Landing Co., LLC. Considering the foregoing, the undersigned

concluded that the required jurisdictional amount had been established. In its "Notice of Removal" defendant American Family Life Assurance Company of Columbus ("Aflac") referenced not only plaintiffs' wrongful death claims, but also referenced plaintiffs' claims that they are entitled to accidental death benefits pursuant to the Aflac policy at issue, amounting to an additional \$110,000 over and above the death benefits already paid by Aflac.

On May 8, 2007, Judge Melançon severed and remanded plaintiffs' wrongful death claims against Rotorcraft Leasing Co. and Rotorcraft Technologies, Inc. to state court. Plaintiffs' claims against Aflac, which are alleged by Aflac to amount to an additional \$110,000, remain pending. Based on the foregoing, the undersigned concludes that the amount in controversy exceeds the required jurisdictional amount.

Signed at Lafayette, Louisiana on January 14, ²⁰⁰⁸~~2007~~.


Mildred E. Methvin
United States Magistrate Judge
800 Lafayette St., Suite 3500
Lafayette, Louisiana 70501
(337) 593-5140 (phone) 593-5155 (fax)

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